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THE
T R I A L

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LADY MARIA BAYNTUN,

Wife of ANDREW BAYNTUN, Esq; and Son of
Sir EDWARD BAYNTUN, Bart.

At DOCTORS COMMONS,

For Committing the high Crime of

A D U L T E R Y

W I T H

JOHN ALLEN COOPER, Esq;

C O N T A I N I N G

The whole Substance of the Evidence given in that
remarkable Cause.

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June 1783

T R I A L

AND MARY BARTON

WITNESS my hand and seal
this 24th day of July 1937

ATTEST

Notary Public for the State of New York

JUL 24 1937

7/24/37

JOHN ALLEN COOPER

Notary Public for the State of New York

The above named parties are personally known to me

and they are the persons whose names are subscribed to the foregoing

instrument and they are the persons who have executed the same

and they are the persons who have acknowledged the same

and they are the persons who have executed the same

T H E

T R I A L

O F

Lady Maria Bayntun, &c.

L I B E L

IN the name of God, Amen; before you
the Right Worshipful Peter Calvert,
doctor of laws, official principal of the
Archies Court of Canterbury, lawfully
constituted, your Surrogate, or other Judge
competent in this behalf, the Proctor of
Andrew Bayntun, Esquire, of Bromham,
in the county of Wilts, diocese of Salis-
bury, and province of Canterbury, against
the Right Honourable Lady Maria Bayn-

~~him, his wife, and against any other per-~~
 son or persons, lawfully intervening or ap-
 pearing for her in judgment before you,
 by way of complaint, and hereby com-
 plaining unto you in this behalf, doth say,
 alledge, and in law articulately propound
 as follows : to wit

I. That the said Andrew Bayntun, Esq;
 was and is the son and heir of Sir Edward
 Bayntun, of Spye-park, in the county of
 Wilts, Baronet; and the said right ho-
 nourable lady Maria Bayntun, his wife,
 was and is the daughter of the right ho-
 nourable George William, earl of Co-
 ventry; and the party proponent doth al-
 ledge and propound as before.

II. That some time in the years 1776
 and 1777, they, the said Andrew Bayntun
 and lady Maria Bayntun, then lady Maria
 Coventry, became acquainted with each
 other, and he being then a batchelor of
 the age of twenty-one years and upwards,
 and free from all matrimonial contracts
 and engagements, did make his courtship
 and addresses in the way of marriage, to
 her the said lady Maria Coventry, who
 was then a spinster, of the age of twenty-
 one years and upwards, and was then also
 free from all matrimonial contracts and
 engagements; and she did receive such
 the courtship and addresses of him the
 said

saïd Andrew Bayntun, and such courtship was carried on and continued, with the privity and knowledge of the saïd Sir Edward Bayntun, and the earl of Coventry their fathers; and they the saïd Andrew Bayntun, and lady Maria Coventry, did afterwards mutually contract themselves together, and did agree to be married together, with the approbation of their saïd respective fathers, who consented to such intended marriage: and this was and is true, public, and notorious; and so much the saïd lady Maria Bayntun knows in her conscience to be true; and the party proponent doth alledge, and propound as before.

III. That, in pursuance of the agreement mentioned in the preceeding article, they, the saïd Andrew Bayntun and lady Maria Coventry were, on the twenty-eighth day of June, in the year of our Lord one thousand seven hundred and seventy-seven, lawfully joined together in holy matrimony, according to the rites and ceremonies of the church of England, as by law established, at the house of the saïd Earl of Coventry, in Piccadilly, situate in the parish of Saint George, Hanover Square, and county of Middlesex, by the Rev. St. Andrew St. John, clerk, a priest or minister in holy orders of the church of

June 28
1777

of England, by virtue of a special licence granted for that purpose, by his grace the archbishop of Canterbury, in the presence of the said Sir Edward Bayntun, lord Coventry, and several others of the respective families and acquaintance; and they, the said Andrew Bayntun and lady Maria Coventry, were then and there pronounced for lawful husband and wife; and the party proponent doth alledge and propound of any other time, and as before.

IV. That, in supply of proof of the premisses in the preceding article mentioned, and to all other intents and purposes in law whatsoever, the party proponent doth exhibit, and hereunto annex, and prays to be here read and inserted, and taken as part and parcel hereof, an extract marked with the letter A, and did and doth alledge the same to be and contain a true copy of the original entry of the aforesaid marriage, in the register book of marriages, kept for the parish of St. George, Hanover square, aforesaid; and that the same hath been faithfully extracted therefrom, and carefully collated with the said original, and agrees therewith. And the party proponent doth also alledge, that Andrew Bayntun, Esq; and the right hon. lady Maria Coventry, therein mentioned as married, and
Andrew

Lady Maria Baynton.

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Andrew Bayntun, the party agent in this cause, and lady Maria Bayntun, his wife, the party accused in this cause, were, and are the same persons, and not divers, or different : and this was, and is true, and so much the said lady Maria Bayntun knows, or in her conscience believes to be true ; and the party proponent doth alledge and propound as before.

V. That from, and immediately after the solemnization of the said marriage, they, the said Andrew Bayntun and lady Maria Bayntun, lived and cohabited together at bed and board, as lawful husband and wife, and consummated their said marriage by carnal copulation and procreation of children, and so lived and cohabited together at
and afterwards, and, till lately, at Bromham, in the county of Wilts ; and they, the said Andrew Bayntun and lady Maria Bayntun, constantly owned and acknowledged each other as lawful husband and wife, were constantly visited as such by their respective relations, friends, and acquaintance, and generally so looked on, esteemed, and taken to be ; and they the said Andrew Bayntun and lady Maria Bayntun have had two daughters born of such marriage (the first of whom was christened by the name of Mary, and died
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in a few days after her birth; and the second of whom, was christened by the name of Maria, and is now living) and this was and is true, public, and notorious; and so much the said lady Maria Bayntun knows, or in her conscience believes to be true; and the party proponent doth alledge and propound as before.

VI. That the said Andrew Bayntun party in this cause, was and is a person of sober, chaste, and virtuous life, and conversation, and always treated and behaved himself to the said lady Maria Bayntun his wife, in the most indulgent manner, and was and is one who would not be guilty of a breach of his marriage vow; and for and as such, a sober, chaste, and virtuous person, and one who would not be guilty of a breach of his marriage vow, he the said Andrew Bayntun was and is commonly accounted, reputed, and taken to be by and amongst his family, neighbours, friends, and acquaintance: and this was and is true, public, and notorious, and so much the said lady Maria Bayntun, party in this cause, knows, or in her conscience believes to be true; and the party proponent doth alledge and propound as before.

VII. That notwithstanding the premises mentioned, and set forth in the pre-

preceding article, she the said lady Maria Bayntun being unmindful of her conjugal vow, and the honour and duty she owed her husband, did contract and carry on an adulterous intercourse and connection, with John Allen Cooper, Esq; and they did commit adultery, as herein after particularly mentioned: and this was and is true, public, and notorious; and the party proponent doth alledge and propound as before.

VIII. That John Allen Cooper, Esq; mentioned in the preceding article, was and is nephew to him the said Andrew Bayntun, the party proponent, and was an officer in his majesty's 20th regiment of foot; and in the beginning of the year 1776, went to America, and served in the army, under the command of general Burgoyne, and returned to England in the spring of the year 1781; and soon after went to Bromham to pay the said Andrew Bayntun a visit, the said Andrew Bayntun and lady Maria Bayntun, his wife, then residing there; that the said John Allen Cooper at first lodged at a house at Sandy Lane, in the neighbourhood of Bromham, but was very soon invited by him, the said Andrew Bayntun, to, and did reside with him, at his house at Bromham, and continued to reside there for several months,

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and

and until he quitted the same, at the time and on the occasion hereafter mentioned : and this was, and is true, public, and notorious ; and the party proponent doth alledge and propound of any other time, and as before.

IX. That at the time when the said John Allen Cooper came to reside at Bromham, he was not quite of age ; that he had not been there long before lady Maria, whenever the said Andrew Baynton was from home, which sometimes happened, took much notice of, and paid great attention to the said John Allen Cooper, and behaved to him in such a manner, as to appear very particular and extraordinary to the servants, who observed it ; that she hath several times been seen to be very free and familiar with him, which encouraged him to behave in the same manner to her ; that when they have been alone in the parlour, she hath been seen sitting on his lap and kissing him ; at other times he has been seen doing the same with her ; that they were frequently observed coming out of the necessary in the garden at the same time, from different doors, there being two doors to it, though there was but one room or place ; and on such occasions they walked different ways from each other, that

that they might appear as if they had not been there at the same time : and this was and is true ; and so much the said lady Maria Bayntun knows in her conscience to be true ; and the party proponent doth alledge and propound as before.

X. That, in the beginning of September last, the Rev. Mr. Henry Bayntun, brother of him the said Andrew Bayntun, went to pay a visit to his said brother, at Bromham, and after having got off his horse he went rather suddenly into the drawing room, when he saw lady Maria Bayntun sitting on the said John Allen Cooper's lap ; that, on Mr. Bayntun's appearance, lady Maria immediately rose in some confusion, and instantly sat down in a chair adjoining to Mr. Cooper's ; that a few days afterwards, the said Henry Bayntun went again to his said brother's in the afternoon, and walking into the garden, came towards the parlour windows, the sashes of which were up ; that he there saw the said John Allen Cooper, and lady Maria romping together and kissing each other, they being the only persons in the room : and this was and is true ; and so much the said lady Maria Bayntun doth know in her conscience to be true ; and the party proponent doth alledge and propound as before.

XI. That on Tuesday the 4th of September, 1781, the said Andrew Bayntun got up early in the morning in order to go out a hunting, and passing the room where the said John Allen Cooper lay, which was one pair of stairs below his own, in his passing he knocked at the door of the chamber of the said John Allen Cooper, and asked if he would go out with him ; but he answered that he should not go, and thereupon he the said Andrew Bayntun went without him ; that the said John Allen Cooper was afterwards observed at the window, watching his the said Andrew Bayntun's going out ; and he and his attendants being gone out, the said Mr. Cooper, a short time afterwards, went out of his own room, up stairs to the room where lady Maria Bayntun lay, and was then in bed ; and opening the door of such room, went into the same, and shut the door after him, and then endeavoured to bolt the same, but could not ; that he staid in the said room about twenty minutes, and then came out in order to return to his own room again ; but observing the door of the chamber, where Martha Jones the nursery maid lay, to be open, it being on the same floor as his own, and the next room to it, he, to avoid passing it, slipped into

into a room opposite lady Maria's, and staid there some time; and the party proponent doth further alledge, that on Monday the 17th of the said month of September, 1781, the said Andrew Bayntun went out again early in the morning to hunt; that the said John Allen Cooper did not go with him; but soon after the said Andrew Bayntun was gone, he went from his own room to lady Maria's bed-chamber, opened the door, went in, and staid there some time, as he had done before on the fourth of the said month; being seen and observed by the said Martha Jones, the nursery maid, who had watched him; that the said Mr. Cooper, on his so going into lady Maria's bed-chamber, at the two several times herein before-mentioned, went to bed to her; and they then and there had the carnal use of each others bodies, and committed the crime of adultery: and this was and is true; and the party proponent doth alledge and propound as before.

XII. That on or about the 12th day of November, 1781, he the said Andrew Bayntun went to lord Weymouth's, at Longleat, on a visit for a few days, and after he so went, and more particularly on the 14th of November, 1781, lady Maria Bayntun and Mrs. Johnson, a relation of
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the said John Allen Cooper, went to Bath, and took with them the two sons of the Rev. Mr. Bayntun, the brother of the said Andrew Bayntun, who were boys, about the age of years; that they put up at the White Lyon inn, at Bath, where they dined, supped, and lay that night; and, after dinner, a room with two beds was ordered, for Mrs. Johnson and the two children, numbered 1, and a single bedded room for lady Maria, numbered 5; Mrs. Johnson and lady Maria then went and stayed out the afternoon, and returned in the evening to supper, but the children went to the play; and after it was over came to the inn to them, and they all retired to bed between eleven and twelve o'clock; Mrs. Johnson and the children went into the room No. 1, where there were two beds, and lady Maria to No. 5, where there was only one bed; that before lady Mary had retired, she asked the chamber-maid for a piece of chalk, which was accordingly carried to, and left with her at her going to bed; that a little time after her going into the room, the No. 5 on the door of it was found to be obliterated with chalk, and the No. 2 put thereon instead of it; that the door of the said lady Maria's room was observed not to be shut, but on the jar,

jar; and she was seen often to come out of it partly undressed, having on her bed gown and night cap; and she once or twice came down to the room where she had supped; and the bar-maid seeing her go in there, went and asked if she wanted the chambermaid, to which she answered, she wanted nothing, and bid the maid go down stairs; that the gates of the inn were shut about twelve o'clock; and very soon after some person was heard knocking very hard at them, in order to be let in; and the gates being opened, it was found to be a gentleman, who afterwards appeared to be the said John Allen Cooper; that he immediately went into the house, and ran up stairs into the room where lady Maria and Mrs. Johnson had supped, and was followed and asked by the waiter who he wanted; that he answered he wanted the chamber-maid; who being called for, and coming to him, she asked him if he had ordered a bed; he said no, but he wanted one; and then enquired of her what company had been in that room; the maid told him; and then shewed him a bed-room, No. 11, on the landing place, below lady Maria's room; where the maid left him; he saying he would put out the candle himself; that a short time after this, lady Maria was

was seen out of her bed chamber, on the landing place, looking over the rails; and Mr. Cooper was seen out of his room at the same time, looking up to, and seeming to be talking very low to her; that he was then seen to go into his own room, and afterwards to come out again, and shut the door to go up stairs to lady Maria's room, and was seen to go into it and shut the door; that the next morning it appeared that the bed in the room Mr. Cooper had been shewn into, had not been lain in that night; and on making lady Maria's bed, it was found to be very much tumbled, and there were the marks and impressions of two bodies having lain therein, and spots or stains appeared on the sheets, such as are usually found when two persons have lain together, and had c—l c——n; and the party proponent doth expressly alledge, that on the said John Allen Cooper's so going into lady Maria's room, as is herein beforementioned, he went to bed to, and lay with her the greater part of the night; and they then had the carnal use and knowledge of each other's bodies, and committed the crime of adultery together.

Arches COURT of Canterbury.

DEPOSITIONS.

The Deposition of James Thring.

JAMES THRING, of Bromham, in the county of Wilts, servant, aged twenty-four years and upwards, a witness, produced and sworn.

To the sixth article of the said libel, this deponent saith, that he hath known Andrew Bayntun, Esq; and the right honourable lady Maria Bayntun his wife, parties in this cause, for about a year and nine months last past, and first came so to know them, by his going to live as footman in their family, in the month of August, 1780; that they the said Andrew Bayntun, and lady Maria Bayntun, then lived and resided together, at bed and board, as man and wife, at Bromham in the county of Wilts; and continued so to do, until some time in the month of December, 1781, when they parted; and this deponent saith, that

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he the said Andrew Bayntun, behaved towards the said lady Maria Bayntun his wife, with the greatest affection and tenderness, so far as this deponent observed, during such their residence together; and this deponent always considered the said Andrew Bayntun, Esq; as a person of a virtuous and sober life and conversation; and further to this article he cannot depose.

To the ninth article of the said libel, this deponent saith, that some time in the summer of the year, 1781, a young gentleman, who this deponent understood was nephew to the producent, and whose name was John Cooper (as the deponent heard him stiled) came to reside at the house of the producent, at Bromham aforesaid; that the said gentleman appeared to the deponent to be about twenty years of age; that after he the said Mr. Cooper, had been at Bromham, about a month or six weeks, the producent being called to London, to attend as a member of the house of commons, it was observed, that lady Bayn-

Baynton, party in this cause, and the said Mr. Cooper, would sit up alone together, continually till twelve or one o'clock in the morning; and this deponent also about that time, several times observed the said lady Bayntun, sitting in the said Mr. Cooper's lap, and hath seen them chuck one another under the chin; that one evening about the time aforesaid, when the said Mr. Cooper, and lady Bayntun were in the parlour alone together, this deponent being ordered to shut the windows, he the deponent left the upper part of one of the shutters open purposely, and afterwards went into a field adjoining, and getting upon a gate thereby, commanded the said parlour; and by the light of the candles therein, saw the said Mr. Cooper and lady Bayntun kissing each other; that this deponent thereupon went into the kitchen, and called out the coachman and Mary Nash, lady Bayntun's maid; and they getting also upon the said gate, observed the like familiarity between the said Mr. Cooper and lady Bayntun; and this deponent further saith, that, in the

said summer of the year 1781, this deponent hath, several times, observed the said Mr. Cooper and lady Bayntun coming out of the necessary, in the garden, at different doors, although such necessary was only one room; and in which room this deponent hath been convinced they had been, at such times, alone together, from the short distance of time of their coming out apart; that such the conduct of the said Mr. Cooper and lady Bayntun towards each other, became the subject of general conversation amongst the servants in the kitchen; and further to this article he cannot depose.

To the fourteenth and sixteenth articles of the said libel, this deponent saith, that the said Andrew Bayntun, Esq; having again occasion to attend parliament, set off from his house, at Bromham aforesaid, for London, on Friday morning, the 23d of November, 1781; that the said Mr. Cooper had been absent from Bromham for some time previous, but returned to the house of the producent the Monday after he, the
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producent, was so set off for London as
afore said; that he, the said Mr. Cooper,
slept that night in a room, wherein he had
usually slept, in the said house, and which
was opposite to lady Bayntun's bed-cham-
ber; and this deponent saith, that being sus-
picious, from the familiarity he had before
seen, and from the said Mr. Cooper's com-
ing so soon after the producent was gone
to London, that a criminal connection was
forming, or subsisted, between the said
lady Bayntun and Mr. Cooper, this deponent
determined to watch them, and went and
concealed himself behind a partition door,
between twelve and one o'clock in the
morning, being not more than a quarter of
an hour after the family were gone up to
bed; that this deponent then saw the said
Mr. Cooper come out of his room, with
his night-gown and cap, and pushed the
door, behind which this deponent had so
placed himself, but not so as to discover
the deponent, as he believes; that he, the
said Mr. Cooper, then went down stairs,
and looked into the parlours; and, in the
mean

mean time, this deponent, to avoid being discovered, retired, and went to his own room; that such conduct of the said Mr. Cooper, having rather increased the deponent's suspicions, he determined again to watch; and, accordingly, on Wednesday night following, being the 28th of the said month of November, about a quarter of an hour after the family had retired to rest, and being then betwixt twelve and one o'clock, as the deponent thinks, he the deponent went again and placed himself behind the said partition door; and after he had been there about five minutes, he saw the said Mr. Cooper come out of his own bed-room without his cloaths or shoes, and having only his night gown and cap on; and he the said Mr. Cooper went then immediately into the bed-chamber of the said lady Maria Bayntun, and shut the door after him, and the deponent then heard the night-bolt of the said door go down; and this deponent then went away; that he the deponent in like manner, and about the same hour, watched the said Mr. Cooper

per on the night following, being Thursday the 13th of November, and again saw the said Mr. Cooper go into the said lady Maria Bayntun's bed chamber, in his night gown and cap, as he had done the preceding night; and this deponent saith that the behaviour of the said Mr. Cooper, and lady Maria Bayntun, being the subject of much conversation amongst the servants; and this deponent having mentioned what he had seen as before deposed to, and his fellow witness Martha Jones, having also mentioned some circumstances by her seen, it was agreed and determined, that the deponent, the said Martha Jones, and Edward Baldwyn, should all watch one night, in order to be able properly to inform the producent, of the improper behaviour of the said lady Bayntun and Mr. Cooper: that accordingly, on the night of Friday the 7th of December, after the said Mr. Cooper, and lady Maria Bayntun had retired to their respective chambers, Edward Baldwyn went into the nursery to the said Martha Jones; and this deponent having put away his things,

things, and put out the candles, went and stood upon a press, and thereby commanded a light of both the chamber doors of the said Mr. Cooper and lady Maria Bayntun; that in a few minutes (and being then about one o'clock in the morning) this deponent saw the said Mr. Cooper in his night gown and cap, as before, go out of his own chamber, into that of lady Maria Bayntun's, and shut the door after him; that this deponent then immediately went to the nursery, and informed the said Edward Baldwyn, and Martha Jones of what he had so seen; and it was then agreed, that the said Edward Baldwyn and this deponent should sit up during the remainder of the night, in order to observe the said Mr. Cooper on his coming out in the morning; and this deponent saith that about a quarter before six o'clock in the morning, of the 8th of December, this deponent being then with the said Edward Baldwyn, standing by the passage door, and watching as aforesaid; saw the said Mr. Cooper in his night-gown and cap, come out of the bed-chamber of the said lady
Maria

Maria Bayntun, and go directly to his own chamber; and this deponent saith that from what he had so observed, as by him predeposed to, he did and doth verily believe, that an adulterous intercourse was carried on between the said Mr. Cooper, and lady Maria Bayntun; and further he cannot depose.

JAMES THRING.

The Deposition of John Whitlaw.

JOHN WHITLAW, of the city of Bath, in the county of Somerset, servant, aged twenty-one years and upwards, a witness produced and sworn.

To the twelfth article of the said libel, this deponent saith, that he hath known Andrew Bayntun, Esq; and also lady Maria Bayntun, his wife, parties in this cause, by person, for about a twelve month; and came so to know them by their occasionally

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using the White Lyon inn, at Bath, where this deponent hath lived waiter about that period; and this deponent saith, that, on the 14th day of November last, the said lady Bayntun, wife of Andrew Bayntun, Esq; came to the said inn, accompanied by a lady, who was unknown to this deponent, and two young gentlemen; that the ladies and the younger gentleman, came in a phaeton, driven by a servant, and the other young gentleman was on horseback; and they arrived at the said inn between eleven and twelve o'clock in the forenoon, and dined, supped, and slept there; that lady Bayntun was to sleep in a room, No. 5, wherein is only one bed; and the other lady, and the young gentlemen, were to sleep in a room, No. 1, which is a double bedded room; that they all retired to bed a little after eleven; that after the said lady Bayntun had been up stairs about half an hour, this deponent being then cleaning out the dining-room, she, the said lady Bayntun, came down stairs in her bedgown into the said dining-room, and ordered

dered the deponent to quit the same, and said she was going to read there; that this deponent thereupon went into the next room; and she, the said lady Bayntun, staid some little time, and then went back into her own room, and returned again into the said dining-room, and again went back into her own room, in a small space of time; that shortly after the said lady Bayntun had last again returned to her own chamber, this deponent heard a knocking at the door, it being then near about twelve o'clock; and the gates being then shut, that this deponent immediately went down stairs and opened the gate, and thereupon a gentleman, a total stranger to the deponent, ran in, and went up stairs into the dining room, where the said lady Bayntun and her party had supped; that the deponent followed him, and asked him who he wanted; to which he answered, the chamber-maid; and the deponent thereupon sent her to him; and he having ordered a bed, the deponent saw him go to a room, No. 11, which is situated in the gallery,

underneath the room, No. 5, where lady Bayntun was to sleep; and this deponent saith, that the next morning this deponent found that the said strange gentleman had left the said inn very early, and it being mentioned that No. 5, on lady Bayntun's door, was obliterated by her, and No. 6 put thereon, this deponent went to look at the said door, and then saw and observed such an alteration made on the said door, with chalk; but further he cannot depose.

JOHN WHITLAW.

The

The Deposition of Mary Coward.

MARY COWARD, of the city of Bath, in the county of Somersfet, spinster, aged twenty-four years and upwards, a witness produced and sworn.

To the twelfth article of the said libel this deponent saith, that she hath lived as barmaid at the White Lyon Inn in the city of Bath, upwards of three years last past, and thereby personally knows, and is acquainted with Andrew Bayntun, Esq; and lady Maria Bayntun, his wife, parties in this cause, they the said Andrew Bayntun and lady Bayntun occasionally using the said Inn when they came to Bath; and this deponent saith, that on the 14th of November last, in the forenoon, the said lady Bayntun, and another lady a stranger to the deponent, who lady Bayntun called by the name

name of Johnson, came to the said Inn with two young gentlemen; that the said parties all dined, supped, and slept at the said Inn; that lady Bayntun chose the rooms for sleeping, and herself made choice of a room, No. 5, to sleep in, and directed two beds in No. 1, to be prepared for Mrs. Johnson and the two young gentlemen; that before supper, the chambermaid came to this deponent for a bit of chalk, and carried the same up to lady Bayntun, as the deponent understood and believes; and this deponent saith, that the said lady Bayntun retired to her bed-room a little after eleven; and in about a quarter of an hour after, this deponent assisted in putting Mrs. Johnson to bed, in the room, No. 1; that, as this deponent was going down stairs from Mrs. Johnson, she, the deponent, saw lady Bayntun standing on the dining-room stairs, in her night-gown; that the deponent thereupon asked her if she wanted the chamber-maid; but she answered in the negative, and bad the deponent go down stairs; that, in about half
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an hour afterwards, somebody knocked at the gate; and the same being opened by the waiter, this deponent saw a gentleman come in, and run up stairs; and on the waiter's following him, the deponent understood he wanted a bed; and one was accordingly prepared for him in a room No. 11, being on a landing place below lady Bayntun's room No. 5; and the said strange gentleman was shewn thereto; and this deponent saith, that in less than a quarter of an hour afterwards, she the deponent being herself going up to bed, but without any candle, she observed the door of the room No. 11, to open, and the deponent thereupon stood still, and then saw the said strange gentleman come out of the said room with his candle in his hand, and having locked the door he blew out the candle; and by the light of a lantern then in the gallery, this deponent saw the said gentleman go towards the chamber No. 5; that this deponent's situation was such, that she could not see him go into the said room; but this deponent is nevertheless certain, that such gentleman

tleman did then go into the said chamber, No. 5, by reason that this deponent heard the door open and shut, and heard his voice in the said room; and this deponent saith, that she then immediately went down stairs again, and informed her mistress of what she had so seen; that her mistress not being inclined to credit the deponent, she the deponent took a bunch of keys that hung near the bar, and went with the chambermaid, and having found a key that opened the said chamber door No. 11, they went into the said chamber; and this deponent found the said strange gentleman's boots standing by the bed; and the cloaths were flung back, and the bed pressed, to make it look as if some person had slept therein; and this deponent further saith, that, on getting up in the morning, she found that the said strange gentleman had quitted the said Inn; and this deponent having occasion to go to Bristol, left lady Bayntun at the said Inn; and cannot of her own knowledge further depose.

MARY COWARD.

The Deposition of Martha Jones.

MARTHA JONES, of Bromham in the county of Wilts, aged thirty-three years and upwards, a witness produced and sworn.

To the sixth article of the said libel this deponent saith, that she hath lived as nurse in the family of Andrew Baynton, Esq; the producent in this cause, for upwards of two years and a quarter, last past; and thereby first came to know and be acquainted with the said Andrew Baynton, and lady Maria Bayntun his wife, the parties in this cause; that when first this deponent went to live in the family, they the said Andrew Baynton, and lady Maria Bayntun his wife, lived and cohabited together as husband and wife, at bed and board; and he the said Andrew Baynton, during the whole time the said lady Bayntun so resided with him, since the

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deponent knew them, always treated and behaved towards the said lady Bayntun with the greatest affection, and in the most indulgent manner; and he the said Andrew Bayntun, always appeared to this deponent to be, and was and is, as she verily believes, a person of a sober and virtuous life and conversation; and further to this article she cannot depose.

To the eighth position or article of the said libel, this deponent saith, that she first came to know the articulate John Allen Cooper, Esq; some time in the month of February or March, 1781, when he the said Mr. Cooper came visiting at the house of the producent; and this deponent then understood, that he the said Mr. Cooper, was a nephew of the producent, and was just then come from America; that he the said Mr. Cooper, when first he so came to visit at the producent's, lodged at a house in Sandy-lane, being about two miles and an half from the producent's house at Bromham; that he

he the said Mr. Cooper, removed from Sandy-lane, in the course of the summer, and took lodgings at a public house, opposite the producent's house aforesaid; and then also continued to visit the producent, until some time in or about the month of August, 1781, when he came by invitation, as the deponent believes, to reside at the producent's; and was from that time backwards and forwards, either at the producent's house, or at his own house at Cumberwell, until the tenth of December following; and further to this article she cannot depose.

To the eleventh article of the said libel this deponent saith, that the said Mr. Cooper, being at the house of the producent, on Tuesday the 10th of September last, he the said producent rose between six and seven, and this deponent about that time heard him call at Mr. Cooper's chamber door, for him the said Mr. Cooper to get up and go with him a hunting; but he the said Mr. Cooper declined so

to do ; that this deponent being up, from her chamber window, presently afterwards saw the producent and the rest of the company, set off with the hounds ; and this deponent saith, that Mr. Bayntun was scarcely out of sight, before this deponent heard Mr. Cooper's chamber-door open ; the nursery where this deponent slept, and then was, being the room adjoining to his ; that this deponent hearing a step upon the stairs, leading from Mr. Cooper's said room, to the room where lady Bayntun then was, she the deponent opened her own room-door, and then plainly saw Mr. Cooper go into lady Bayntun's bed chamber, in his night-gown and night-cap ; that he, the said Mr. Cooper, endeavoured to fasten the door of the said room, but was not able, by reason (as the deponent observed) of the night-bolt ; that this deponent then watched the said Mr. Cooper, and saith that after he had staid about twenty minutes in the said lady Bayntun's bed-chamber, he came out, in order as the deponent

ponent believes, to return to his own chamber again; but it being necessary he should pass by this deponent's room, and this deponent having purposely left her room-door open, he slipped into another room opposite lady Bayntun's bed-chamber, and staid there about ten minutes, and then passed by the deponent's room, in the deponent's sight, to his own; and this deponent saith, that on Monday, the 17th of the said month of September, he the said Mr. Cooper being still at the house of the producent, he the said producent again got up to hunt, and called on the said Mr. Cooper between six or seven in the morning to go with him, but he refused as before; and the deponent saith, that after the said Mr. Bayntun was gone, she the deponent, as before, heard the said Mr. Cooper open his chamber door and go out; and this deponent then watched, and saw him again go into lady Maria Bayntun's bed-chamber, and shut the door after him; he the said Mr. Cooper being then also in his night-gown and cap;

cap; that he, the said Mr. Cooper, then also remained with the said lady Maria Bayntun, in her said bed-chamber, about twenty minutes, and then was seen to come out from thence, by the deponent as before; and this deponent doth in her conscience verily believe, that at the times by her predeposed to, they, the said Mr. Cooper, and lady Maria Bayntun, committed adultery together; but further she cannot depose to this article.

To the fourteenth, fifteenth, and sixteenth articles of the said libel, this deponent saith, that Andrew Bayntun, Esq; the producent, being gone to London, the aforesaid John Allen Cooper came to the said producent's house at Bromham aforesaid, on Monday, the 26th of November last; that the conduct of the said Mr. Cooper, and the said lady Maria Baynton towards each other, became the subject of much observation, and conversation amongst the servants; and this deponent being in her own mind convinced, that a
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criminal connection subsisted between them, she the deponent was particularly attentive to their conduct; and this deponent saith, that when the said Mr. Cooper came to Bromham this last time, he changed his bed room, and slept in a room opposite lady Maria Bayntun's; that on the Wednesday night the 28th, or early in the morning of Thursday the 29th, and after the family were gone to rest, this deponent plainly heard the said Mr. Cooper's chamber door open, and somebody go into lady Maria Bayntun's chamber; and the deponent then heard the night-bolt drop; and a little before eight in the morning, the deponent heard the said lady Maria Bayntun's room door again open; and the deponent going out of her own room, saw the said Mr. Cooper then going into his room in his night-gown and cap; and this deponent further saith, that between seven and eight o'clock in the morning of the first of December last, this deponent's fellow witness, Ann Baily, having been to light Mr. Cooper's fire in his chamber

chamber, and coming afterwards into this deponent's room, told her, that Mr. Cooper was not in bed; that this deponent was thereupon induced to go into the passage, and then saw the said Mr. Cooper open lady Maria Bayntun's chamber room-door, and come out from the said chamber, and go to his own; that this deponent is certain the said lady Bayntun, was then in her said chamber, by reason that she shortly afterwards came out from thence to the deponent; and this deponent further saith, that the conduct of the said Mr. Cooper, and lady Bayntun, towards each other, became at length so very flagrant, as to be observed by almost all the servants.

F I N I S.

*** *This Pamphlet contains a considerable Part of the Trial of Lady Maria Bayntun; those however who wish to know further Particulars, and to peruse Lady Maria's Penitent Epistle, may purchase the Genuine Trial at large, Price 2s. 6d. at No. 46, in the Old-Bailey.*